IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY EIGHTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY**

**and**
**THE HON'BLE MR JUSTICE K.C. BHANU**

**WRIT PETITION NO : 5721 of 2003**

Between:

1 Noor Educational Society (Regd.No.2826/88) rep. by

its Secretary-cum-Correspondent Sri Mirza Farhatullah Baig,

Flat No.104, Mass Tower's Complex, Farha Colony,

Sayeedabad Hyderabad – 59.

2 Noor College of Education rep. by its Secretary-cum-

Correspondent Sri.Mirza Farhatullah Baig, Amangal Road,
Shadnagar, Mahaboobnagar.

**... PETITIONERS**

AND

1 The Government of Andhra Pradesh
rep. by its Principal Secretary (Education Department)
Secretariat Buildings, Hyderabad
2 The Government of Andhra Pradesh
rep .by its Principal Secretary (Minorities Welfare M&R Department)
Secretariat Buildings, Hyderabad
3 The Osmania University rep. by its Registrar
Hyderabad
4 The Convener, I/C, EdCET-2002
Delta Studies Institute, Andhra University, Sivajipalem
Visakhapatnam - 17

**....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to declare c). G.O.Ms.No.34, Dt.24/03/2003 issued by Respondent No.1 as unconstitutional offending Article 30 of the Constitution of India d) G.O.Ms.No.5 Dt.18/3/2003 issued by Respondent No.2 as arbitrary, illegal and unconstitutional offending Article 30 of the Constitution of India by way of issue of a writ order or direction, one more particularly in the nature of Writ of Mandamus, and consequently direct the respondents to treat the 2nd petitioner as a Muslim Minority Educational Institution to impart B.Ed. Course as supplementary batch for the academic year 2002-2003 and pass such other order.

**Counsel for the Petitioners: MR.L.RAVICHANDER**

**Counsel for the Respondent NoS.1 AND 2 : THE ADVOCATE GENERAL**

**Counsel for the Respondent No.3: STANDING COUNSEL FOR O.U.**

**Counsel for the Respondent No.4 : SRI T.S.HARINATH.**

**WRIT PETITION NO : 5731 of 2003**

Between:

1 Gajwel Minorities Educational Society (Regd.No.8494/99)
Pragnapur (V), Gajwel Mandal MEDAK DISTRICT.
rep. by its President Sri Syed Khurshid Ahmed
2 Gajwel College of Education rep. by its President

Sri Syed Khurshid Ahmed Pragnapur (V), Gajwel Mandal,

MEDAK DISTRICT.

**.... PETITIONERS**

AND

1 The Government of Andhra Pradesh
rep. by its Principal Secretary (Education Department)
Secretariat Buildings, Hyderabad.
2 The Government of Andhra Pradesh
rep. by its Principal Secretary (Minorities Welfare M&R Department)
Secretariat Buildings Hyderabad
3 The Osmania University rep. by its Registrar,
Hyderabad.
4 The Convenor I/C.Edcet - 2002 Delta Studies Institute
Andhra University Sivajipalem
Visakhapatnam - 17

**....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to declare a). G.O.Ms.No.34, Dt.24/03/2003 issued by Respondent No.1 as unconstitutional offending Article 30 of the Constitution of India b) G.O.Ms.No.5 Dt.18/3/2003 issued by Respondent No.2 as arbitrary, illegal and unconstitutional offending Article 30 of the Constitution of India by way of issue of a writ order or direction, one more particularly in the nature of Writ of Mandamus, and consequently direct the respondents to treat the 2nd petitioner as a Muslim Minority Educational Institution to impart B.Ed. Course as supplementary batch for the academic year 2002-2003 and pass such other order.

**Counsel for the Petitioners: MR.S.SRI RAM**

**Counsel for the Respondent Nos.1 and 2: THE ADVOCATE GENERAL**

**Counsel for the Respondent No.3 : STANDING COUNSEL FOR O.U.**

**Counsel for the Respondent No.4: SRI T.S. HARINATH**

**WRIT PETITION NO : 5835 of 2003**

Between:

1 Sana Educational Society (Regd.No.4694/97)
8-620, Muslim Street, Ranganayakulapet,
Nellore-524 001 rep.by its President

Sri Khaja Basha Mohiuddin
2 Sana College of Education, rep. by

its President Sri Khaja Basha Mohiuddin,
Chemudugunta, Nellore.

**... PETITIONERS**

AND

1 The Government of Andhra Pradesh
rep. by its Principal Secretary, (Education Department),
Secretariat Buildings, Hyderabad.
2 The Government of Andhra Pradesh
rep. by its Principal Secretary (Minorities Welfare M&R Department)
Secretariat Buildings Hyderabad.
3 Sri Venkateswara University, rep. by its Registrar,
Tirupati.
4 The Convenor I/C Edcet-2002 Delta Studies Institute
Andhra University, Sivajipalem,
Visakhapatnam -17

**....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to

declare c). G.O.Ms.No.34, Dt.24/03/2003 issued by Respondent No.1 as unconstitutional offending Article 30 of the Constitution of India d) G.O.Ms.No.5 Dt.18/3/2003 issued by Respondent No.2 as arbitrary, illegal and unconstitutional offending Article 30 of the Constitution of India by way of issue of a writ order or direction, one more particularly in the nature of Writ of Mandamus, and consequently direct the respondents to treat the 2nd petitioner as a Muslim Minority Educational Institution to impart B.Ed. Course as supplementary batch for the academic year 2002-2003 and pass such other order.

**Counsel for the Petitioners: MR.KATRAM.MURLIDHAR REDDY**

**Counsel for the Respondent Nos.1 and 2: THE ADVOCATE GENERAL**

**Counsel for the Respondent No.3: STANDING COUNSEL FOR V.U**

**Counsel for the Respondent No.4: Sri T.S.HARINATH.**

**WRIT PETITION NO : 5850 of 2003**

Between:

1 Nova Educational Society (Regd.NO.4069/1998)
16-11-22/12/1, Plot NO.12 Krishnatulasi Nagar,
Moosarambagh, Hyderabad. rep. by its

Secretary M.Krishna Rao

2 Nova College of Education rep. by its Secretary

M.Krishna Rao, Vegavaram Village,

Jangareddigudem Mandal, West Godavari District.

**....PETITIONERS**

AND

1 The Government of Andhra Pradesh
rep. by its Principal Secretary (Education Department),
Secretariat Buildings Hyderabad
2 The Government of Andhra Pradesh
rep. by its Principal Secretary (Minorities Welfare M&R Department)
Secretariat Buildings Hyderabad
3 The Andhra University rep. by its Registrar,
Visakhapatnam.
4 The Convenor I/C Edcet-2002
Delta Studies Institute Andhra University
Sivajipalem Visakhapatnam-17

**....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to declare a). G.O.Ms.No.34, Dt.24/03/2003 issued by Respondent No.1 as

unconstitutional offending Article 30 of the Constitution of India b) G.O.Ms.No.5 Dt.18/3/2003 issued by Respondent No.2 as arbitrary, illegal and unconstitutional offending Article 30 of the Constitution of India by way of issue of a writ order or direction, one more particularly in the nature of Writ Of Mandamus, and consequently direct the respondents to treat the 2nd petitioner as a Christian Minority Educational Institution to impart B.Ed. Course as a supplementary batch for the academic year 2002-2003 and pass such other order.

**Counsel for the Petitioners: MR.S.SRI RAM**

**Counsel for the Respondent Nos.1 and 2: THE ADVOCATE GENERAL**

**Counsel for the Respondent No.3: STANDING COUNSEL FOR A.U.**

**Counsel for the Respondent No.4: SRI T.S.HARINATH.**

**WRIT PETITION NO : 5851 of 2003**

Between:

1 St. Martin's Education Society (Regd.No.6393/2000)

rep. by its Secretary Sri.Ch.Malla Reddy
291, Comssary Bazar New Bowenpally
Secunderabad

2 Malla Reddy B.Ed. College rep. by its

Secretary Sri.Ch.Malla Reddy, 114-116, 129-130

Suraram Village, Qutbullapur, RangaReddy District.

**.... PETITIONERS**

AND

1 The Government of Andhra Pradesh rep.

by its Principal Secretary (Education Department)
Secretariat Buildings Hyderabad

2 The Government of Andhra Pradesh rep. by

its Principal Secretary (Minorities Welfare M&R Department).
Secretariat Buildings Hyderabad

3 The Osmania University rep. by its Registrar
Hyderabad

4 The Convenor I/C Edcet 2002
Delta Studies Institute Andhra University
Sivajipalem Visakhapatnam -17

**....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to declare a). G.O.Ms.No.34, Dt.24/03/2003 issued by Respondent No.1 as

unconstitutional offending Article 30 of the Constitution of India b) G.O.Ms.No.5 Dt.18/3/2003 issued by Respondent No.2 as arbitrary, illegal and unconstitutional offending Article 30 of the Constitution of India by way of issue of a writ order or direction, one more particularly in the nature of Writ Of Mandamus, and consequently direct the respondents to treat the 2nd petitioner as a Christian Minority Educational Institution to impart B.Ed. Course as supplementary batch for the academic year 2002-2003 and pass such other order.

**Counsel for the Petitioners: MR.S.SRI RAM**

**Counsel for the Respondent Nos.1 and 2: THE ADVOCATE GENERAL**

**Counsel for the Respondent No.3 : STANDING COUNSEL FOR O.U.**

**Counsel for the Respondent No.4: SRI T.S.HARINATH**

**WRIT PETITION NO : 5888 of 2003**

Between:

1 Azad Educational Society Regd. No.5147/1997
12-2-419/B/1, Alapathi Nagar Colony
Mehadipatnam, Hyderabad - 500 059 rep. by

its Secretary Sri.Mohd.Ghouse Moinuddin

2 A.E.S.College of Education Regd. No.5147/1997
Moinabad Chevella Revenue Division
Rangareddy District rep. by its Secretary

Sri.Mohd.Ghouse Moinuddin

**..... PETITIONERS**

AND

1 The Government of Andhra Pradesh
rep. by its Principal Secretary Education Department
Secretariat Buildings, Hyderabad

2 The Government of Andhra Pradesh
rep. by its Principal Secretary Minorities Welfare M&R Department
Secretariat Buildings, Hyderabad

3 The Osmania University Hyderabad
rep. by its Registrar

4 The Convenor I/C, Edcet - 2002

Delta Studies Institute Andhra University
Sivajipalem Visakhapatnam- 17

**....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to declare a). G.O.Ms.No.34, Dt.24/03/2003 issued by Respondent No.1 as unconstitutional offending Article 30 of the Constitution of India b) G.O.Ms.No.5 Dt.18/3/2003 issued by Respondent No.2 as arbitrary, illegal and unconstitutional offending Article 30 of the Constitution of India by way of issue of a writ order or direction, one more particularly in the nature of writ of mandamus, and consequently direct the respondents to treat the 2nd petitioner as a Muslim Minority Educational Institution to impart B.Ed. Course as supplementary batch for the academic year 2002-2003 and pass such other order.

**Counsel for the Petitioners: MR.S.SRI RAM**

**Counsel for the Respondent Nos.1 and 2: ADVOCATE GENERAL**

**Counsel for the Respondent No.3: STANDING COUNSEL FOR O.U.**

**Counsel for the Respondent No.4: SRI T.S.HARINATH.**

**WRIT PETITION NO : 6421 of 2003**

Between:

1 Banjara Educational Society Regd.No/1426/90
Road NO.12, Banjara Hills Hyderabad,
rep. by its Secretary Cum Correspondent Mohd.Omer Hadi
2 Residency College of Education rep. by its Secretary Cum

Correspondent Mohd.Omer Hadi
Vikarabad, Rangareddy Dist

**.... PETITIONERS**

AND

1 The Government of Andhra Pradesh rep. by

its Principal Secretary (Education Department)
Secretariat Buildings, Hyderabad.
2 The Government of Andhra Pradesh
rep. by its Principal Secretary, (Minorities Welfare

M&R Department) Secretariat Buildings, Hyderabad,
3 Osmania University rep. by its Registrar
Hyderabad

4 The Convenor I/C., EdCET-2002
Delta Studies Institute, Andhra University,
Sivajipalem, Visakhapatnam-17.

**....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to declare c). G.O.Ms.No.34, Dt.24/03/2003 issued by Respondent No.1 as unconstitutional offending Article 30 of the Constitution of India d) G.O.Ms.No.5 Dt.18/3/2003 issued by Respondent No.2 as arbitrary, illegal and unconstitutional offending Article 30 of the Constitution of India by way of issue of a writ order or direction, one more particularly in the nature of Writ of Mandamus, and consequently direct the respondents to treat the 2nd petitioner as a Muslim Minority Educational Institution to impart B.Ed. Course as supplementary batch for the academic year 2002-2003 and pass such other order.

**Counsel for the Petitioners: MR.M.PRASADA RAO**

**Counsel for the Respondent Nos.1 and 2: THE ADVOCATE GENERAL**

**Counsel for the Respondent No.3: STANDING COUNSEL FOR O.U.**

**Counsel for the Respondent No.4: SRI T.S.HARINATH**

**WRIT PETITION NO : 6776 of 2003**

Between:

1 Chinta Reddy Madhusudhan Reddy Educational Society

Regd.No.1713/91, H.No.2-1-444 Opp:Fever Hospital,

OU Road, Nallakunta, Hyderabad rep. by its President

Sri G.Chandra Sekhar Reddy
2 Bharat College of Education
H.No.2-1-444 Opp:Fever Hospital,

OU Road, Nallakunta, Hyderabad rep. by

its President Sri. G.Chandra Sekhar Reddy

**..... PETITIONERS**

AND

1 The Government of Andhra Pradesh rep. by

its Principal Secretary, Education Department,

Secretariat Buildings, Hyderabad
2 The Government of Andhra Pradesh rep. by

its Principal Secretary, Minorities Welfare M&R Department

Secretariat Buildings, Hyderabad.
3 The Convenor I/C Edcet - 2002
Delta Studies Institute Andhra University
Sivajipalem Visakhapatnam - 17

**....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to declare a). G.O.Ms.No.34, Dt.24/03/2003 issued by Respondent No.1 as unconstitutional offending Article 30 of the Constitution of India b) G.O.Ms.No.5 Dt.18/3/2003 issued by Respondent No.2 as arbitrary, illegal and unconstitutional offending Article 30 of the Constitution of India by way of issue of a writ order or direction, one more particularly in the nature of writ of mandamus, and consequently direct the respondents to treat the 2nd petitioner as a Christian Minority Educational Institution to impart B.Ed. Course as supplementary batch for the academic year 2002-2003 and pass such other order.

**Counsel for the Petitioners: MR.S.SRI RAM**

**Counsel for the Respondent Nos.1 and 2: GP FOR SCHOOL EDUCATION**

**Counsel for the Respondent No.3: SRI T.S.HARINATH**

**WRIT PETITION NO : 6907 of 2003**

Between:

1 Holy Trinity Educational Society Regd.No. 619/1993
7-1-282, B.K.Guda, S.R.Nagar, Hyderabad
rep. by its Chairman Sri.Y.Thomas Reddy
2 Holy Trinity College of Education
Bogaram (V), Keesara (M) Rangareddy Dist

rep. by its Chairman Sri.Y.Thomas Reddy

**..... PETITIONERS**

AND

1 The Government of Andhra Pradesh
rep. by its Principal Secretary Education Department
Secretariat Buildings, Hyderabad
2 The Government of Andhra Pradesh
rep. by its Principal Secretary Minorities Welfare M&R Department
Secretariat Buildings, Hyderabad
3 The Convenor I/C Edcet -2002
Delta Studies Institute Andhra University,
Sivajipalem, Visakhapatnam - 17

**....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to declare a). G.O.Ms.No.34, Dt.24/03/2003 issued by Respondent No.1 as unconstitutional offending Article 30 of the Constitution of India b) G.O.Ms.No.5 Dt.18/3/2003 issued by Respondent No.2 as arbitrary, illegal and unconstitutional offending Article 30 of the Constitution of India by way of issue of a writ order or direction, one more particularly in the nature of writ of mandamus, and consequently direct the respondents to treat the 2nd petitioner as a Christian Minority Educational Institution to impart B.Ed. Course as supplementary batch for the academic year 2002-2003 and pass such other order.

**Counsel for the Petitioners: MR.S.SRI RAM**

**Counsel for the Respondent Nos.1 and 2: G.P. FOR SCHOOL EDUCATION**

**Counsel for the Respondent No.3: MR.T.S.HARNATH**

The Court made the following :

**COMMON ORDER: (Per Hon'ble Sri Justice B.Sudershan Reddy)**

Sri S. Sri Ram, learned counsel appearing on behalf of the petitioners submits that the cause in these Writ Petitions does not survive requiring any further adjudication. The Writ Petitions shall accordingly stand dismissed as infructuous. No order as to costs.

(B.SUDERSHAN REDDY,J)

Dt.28..09..2004

_____

(K.C.BHANU, J)

**GS/KS**

To

1. The Principal Secretary

(Education Department), Government of Andhra Pradesh
Secretariat Buildings, Hyderabad

2 The Principal Secretary (Minorities Welfare M&R Department)

Government of Andhra Pradesh
Secretariat Buildings, Hyderabad

3 The Registrar, Osmania University
Hyderabad

4 The Convener, I/C, EdCET-2002
Delta Studies Institute, Andhra University, Sivajipalem
Visakhapatnam – 17.

5. The Registrar, Sri Venkateswara University,
Tirupati.

6. The Registrar, Andhra University,
Visakhapatnam.

7. Two CCs to the Advocate General, High Court of A.P. Hyderabad

(OUT)

8. Two CCs to the G.P. for School Education, High Court Buildings,

Hyderabad, (OUT)

9. Two CD Copies.